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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,881	02/16/2001	Marcia L. Peters	RSW9-2001-0004-US1	5202

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09/29/2005

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EXAMINER
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ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/784,881

Applicant(s)

PETERS ET AL.

Examiner

Shawki S. Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **RESPONSE TO APPEAL BRIEF**

1. This communication is responsive to the Appeal Brief filed on July 18, 2004. Applicant's arguments, with respect to the rejection(s) of claim(s) 1-16 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made. Claims 1-16 are pending further examination.

### **Claim Rejections - 35 USC §102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claim 1, 2, 5-6, 9-10, and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by **Rice**, U.S. Patent No. **6,486,891**.

4. As to claim 1, Rice teaches a method of causing a web browser to bookmark an alternative URL comprising the step of:

inserting an alternative bookmark directive (col. 6, lines 47-52 and col. 7, lines 19-23) in an encoded web page representation associated with said target URL, said alternative bookmark directive causing said web browser to bookmark said alternative

URL instead of said target URL when a user of said web browser attempts to bookmark said target URL (col. 2, lines 47-56 and col.5, lines 31-48).

5. As to claim 2, Rice teaches a method as set forth in claim 1, wherein said encoded web page representation is encoded in HTML (col. 3, lines 19-27).

6. As to claim 5, Rice teaches a method of causing a web browser to bookmark an alternative URL rather than a target URL, comprising the steps of:

inserting an alternative bookmark directive (col. 6, lines 47-52 and col. 7, lines 19-23) in an encoded web page associated with said target URL;

accessing said target URL using said web browser (col. 2, lines 47-56 and col.5, lines 31-48).and

directing said web browser to bookmark said target URL, said alternative bookmark directive causing said web browser to bookmark said alternative URL instead of said target URL (col. 2, lines 47-56 and col.5, lines 31-48).

7. As to claim 6, Rice teaches a method as set forth in claim 5, wherein said encoded web page representation is encoded in HTML (col. 3, lines 19-27).

8. As to claim 9, Rice teaches a computer program product causing a web browser to bookmark an alternative URL rather than a target URL, comprising the step of:

inserting an alternative bookmark directive (col. 6, lines 47-52 and col. 7, lines 19-23) in an encoded web page representation associated with said target URL, said alternative bookmark directive causing said web browser to bookmark said alternative URL instead of said target URL when a user of said web browser attempts to bookmark said target URL (col. 2, lines 47-56 and col.5, lines 31-48).

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9. As to claim 10, Rice teaches a computer program product as set forth in claim 9, wherein said encoded web page representation is encoded in HTML (col. 3, lines 19-27).

10. As to claim 13, Rice teaches a system causing a web browser to bookmark an alternative URL rather than a target URL, comprising the step of:

inserting an alternative bookmark directive (col. 6, lines 47-52 and col. 7, lines 19-23) in an encoded web page representation associated with said target URL, said alternative bookmark directive causing said web browser to bookmark said alternative URL instead of said target URL when a user of said web browser attempts to bookmark said target URL (col. 2, lines 47-56 and col.5, lines 31-48).

11. As to claim 14, Rice teaches a system as set forth in claim 13, wherein said encoded web page representation is encoded in HTML (col. 3, lines 19-27).

### **Claim Rejections - 35 USC §103**

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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13. Claim 3, 7, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Rice**, U.S Patent No. **6,486,891** and in view of **Himmel et al. (Himmel)**, U.S. Patent No. **6,041,360**.

14. As to claim 3, Rice teaches the method of book marking an alternate URL, Rice does not explicitly teach that the encoded web page representation is encoded in XML.

However, Himmel teaches dynamic update of bookmarks in which he discloses the use of encoding in XML as a web page representation (col. 21, lines 33-37.)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the inventions of Rice and Himmel to encode web page representation using XML because it allows web developers and designers to create customized tags that offer greater flexibility in organizing and presenting information than is possible with the older HTML document coding system.

15. Claims 7, 11 and 15 do not teach or define any new limitations above claim 3 and therefore are rejected for similar reasons.

16. Claim 4, 8, 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Rice**, U.S Patent No. **6,486,891** and in view of **Himmel et al. (Himmel)**, U.S. Patent No. **6,832,350**.

17. As to claim 4, Rice teaches the method of book-marking an alternate URL as set forth in claim 1. Rice does not explicitly teach wherein said web browser periodically checks all URLs associated with bookmarks stored by said browser to determine if any of said URLs have an alternative bookmark directive associated therewith and, if so, causing said web browser to bookmark said alternative URL instead of the target URL.

Himmel teaches an apparatus, program product, and method that utilize a bookmark affinity to facilitate organizing by mutual affinity stored storage location addresses, or bookmarks, each for a given hypertext document. Himmel further teaches an update affinity routine which provides an automated way for a browser to periodically update existing bookmark records (col. 13, line 62 – col. 14, line 6).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the inventions of Himmel into Rice in order to be able to update a bookmark. By providing such updates to bookmarks allows the browser to store the most current and up to date information about a given website.

18. Claims 8, 12 and 16 do not teach or define any new limitations above claim 4 and therefore are rejected for similar reasons.

### **Contact Information**

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
September 26, 2005



**SALEH NAJJAR**  
**PRIMARY EXAMINER**